

Message Text

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14

ACTION EB-07

INFO OCT-01 AF-06 ARA-10 EUR-12 EA-09 ISO-00 CIAE-00

COME-00 DODE-00 DOTE-00 FMC-02 INR-07 NSAE-00 CG-00

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 8160

INFO AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY MONROVIA

AMEMBASSY OSLO

AMEMBASSY PANAMA

AMEMBASSY PARIS

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY HELSINKI

USMISSION EC BRUSSELS

USMISSION OECD PARIS

UNCLAS MANILA 13953

E.O. 11652: N/A

TAGS: ETRN, RP, EWWT

SUBJ: SHIPPING -- NEW P.D. 806 VERSUS P.D. 667

FOLLOWING IS TEXT OF PRESIDENTIAL DECREE NO. 806 ON PROVIDING DIRECT INCENTIVES FOR THE DEVELOPMENT OF PHILIPPINES OVERSEAS SHIPPING. QUOTE

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WHEREAS, THE GOVERNMENT RECOGNIZES THE IMPORTANT

ROLE OF THE SHIPPING INDUSTRY IN THE ECONOMIC DEVELOPMENT
OF THE COUNTRY;

WHEREAS, PRESIDENTIAL DECREE NO. 667 WAS PROMULGATED
WITH THE OBJECTIVE OF PROVIDING INCENTIVES TO THE SHIP-
PING INDUSTRY BY GRANTING INCOME TAX DEDUCTIONS TO SHIPPERS
WHO UTILIZE PHILIPPINE FLAG VESSELS FOR THEIR SHIPMENTS,
WHICH INCENTIVE IS CONSIDERED AS AN INDIRECT ASSISTANCE
TO THE SAID INDUSTRY; AND

WHEREAS, IT IS DEEMED MORE ADVANTAGEOUS TO AND
MEANINGFUL FOR SAID SHIPPING INDUSTRY TO BE EXTENDED DIRECT
ASSISTANCE INSTEAD OF THE INDIRECT TYPE THUS GRANTED UNDER
THE AFORESAID DECREE.

NOW, THEREFORE, I. FERNINAND E. MARCOS, PRESIDENT OF
THE PHILIPPINES, BY VIRTURE OF THE POWERS IN ME VESTED BY
THE CONSTITUTION, DO HEREBY DECREE THE FOLLOWING AS PART
OF THE LAW OF THE LAND.

SECTION 1. THE POLICIES AND OBJECTIVES DECLARED IN
PRESIDENTIAL DECREE NO. 474 ARE REITERATED HEREIN AND
MADE AN INTEGRAL PART OF THIS DECREE. IN PURSUANCE OF
SUCH POLICIES, THE STATE SHALL TAKE ALL THE STEPS NECESSARY,
INCLUDING THE PROVISION OF DIRECT INCENTIVES TO PHILIP-
PINE FLAG VESSELS AND NATIONAL SHIPPING LINES, TO ENABLE
THEM TO CARRY A SUBSTANTIAL AND INCREASING SHARE OF THE
CARGO GENERATED BY PHILIPPINE FOREIGN TRADE AND TO
ACCELERATE EXPANSION AND MODERNIZATION OF THE PHILIPPINE
MERCHANT FLEET.

SEC. 2. IN LIEU OF INDIRECT INCENTIVES UNDER P.D.
667, THE FOLLOWING ARE HEREBY ADOPTED:

A. VESSELS WHICH ARE DULY REGISTERED IN THE PHILIP-
PINES AND WHICH ARE OWNED OR CONTROLLED, OR CHARTERED
BY PHILIPPINE NATIONALS SHALL HAVE AT LEAST EQUAL SHARES
AS VESSELS OF ANOTHER COUNTRY IN THE CARRIAGE OF INTER-
NATIONAL CARGO BETWEEN THE PHILIPPINES AND THAT OTHER
COUNTRY.

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B. SHIPPING LINES OF THIRD-COUNTRIES SHALL BE
ACCORDED OPPORTUNITIES TO CARRY THE BALANCE OF THE INTER-
NATIONAL CARGO ON SUCH BILATERAL TRADE WHICH CANNOT
BE CARRIED BY SUCH VESSELS OF THE PHILIPPINES AND OF THE
SECOND COUNTRY.

SEC. 3. THE MARITIME INDUSTRY AUTHORITY IS AUTHORIZED

AND DIRECTED:

A. TO STUDY AND DEVISE MEANS BY WHICH IMPORTERS AND EXPORTERS OF THE PHILIPPINES CAN BE INDUCED TO GIVE PREFERENCE TO VESSELS OF PHILIPPINE REGISTRY AND THOSE OWNED OR CONTROLLED, OR CHARTERED BY PHILIPPINE NATIONALS, WITH THE ASSISTANCE OF OTHER GOVERNMENT OFFICES, AGENCIES AND INSTRUMENTALITIES AS WELL AS PHILIPPINE SHIPPING LINES;

B. TO RECOMMEND SUCH MEASURES AS IT MAY DEEM NECESSARY TO THE APPROPRIATE GOVERNMENT AUTHORITIES TO IMPLEMENT THE POLICIES AND OBJECTIVES HEREIN SET FORTH;

C. TO PROMULGATE APPROPRIATE RULES AND REGULATIONS FOR THE EFFECTIVE IMPLEMENTATION OF THIS DECREE; AND

D. TO SERVE AS CENTRAL COORDINATING AGENCY IN THE IMPLEMENTATION OF THIS DECREE.

SEC. 4. ALL LAWS, DECREES, ORDERS, RULES AND REGULATIONS WHICH ARE INCONSISTENT WITH OR CONTRARY TO THE PROVISIONS OF THIS DECREE ARE HEREBY REPEALED OR MODIFIED ACCORDINGLY.

SEC. 5. THIS DECREE SHALL TAKE EFFECT UPON ITS APPROVAL.

DONE IN THE CITY OF MANILA THIS 3RD DAY OF OCTOBER IN THE YEAR OF OUR LORD, NINETEEN HUNDRED AND SEVENTY FIVE. UNQUOTE
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